

The committee are satisfied that the trustees and officers will do their whole duty, in carrying out the objects had in view in the endowment of the several asylums. The gratitude of the whole State is due the trustees of the several asylums. Their labors are gratuitous, and prompted wholly by the most benevolent and generous impulses.

On motion, the Senate adjourned until ten o'clock, to-morrow morning.

THURSDAY, April 4th, 1861.

Senate met pursuant to adjournment. Prayer by the Chaplain—roll called—quorum present—the journal of yesterday was read and adopted.

Mr. Shepard, chairman of committee on State Affairs made the following reports :

The committee on State Affairs, to whom was referred a resolution for the repeal of a former resolution, providing that no business of a private nature should be transacted during the present session, have considered the same and instruct me to report that it is now too late in the session, to make it of any practical benefit, they therefore recommend that it be laid on the table.

The committee on State Affairs, to whom was referred a bill for the disposition of run-away slaves, have considered the same and instruct me to report the same to the Senate, and recommend its passage.

The committee on State Affairs, to whom was referred a bill for the relief of the Commissioner of the Boundary Survey, have had the same under consideration, and a majority thereof instruct me to report the bill to the Senate, with the recommendation that the same be rejected, for the reason, that its provisions are in direct contravention with the 25th section, Article third of the constitution of the State of Texas.

The committee on State Affairs, to whom was referred a petition of sundry citizens of Tyler county, for the relief of sheriffs, have considered the same and instruct me to report it as inexpedient to grant the prayer of petitioners, and therefore the committee recommend that the petition be indefinitely postponed, and that they be discharged from further consideration of the same.

The committee on State Affairs, to whom was referred a bill prescribing the duties and obligations in certain cases of com-

mission merchants, factors and others, have had the same under consideration, and a majority of the committee instruct me to report that in their opinion such legislation is inexpedient and unnecessary, they therefore recommend the rejection of the bill.

Mr. Fall, chairman of committee on Engrossed Bills, reported correctly engrossed, a bill to provide for the sale of land ceded to the United States government for Indian purposes by act of the Legislature, approved Feb., 6, 1854.

Mr. Hyde, chairman of the committee on Private Land Claims, made the following report :

The committee on Private Land Claims, to whom was referred a bill for the relief of Charles Linney, have considered the same, and have instructed me to refer the same back and recommend a substitute, and recommend its adoption and passage.

The said Charles Linney, was a citizen of Texas and a married man, previous to the Declaration of Independence in 1836, and is still a citizen. He presented his claim to the Court of Claims, with the witnesses, which Court approved the claim. Since which time the witnesses have both died, but were well known to Hon. G. B. Erath.

James Adams received a certificate for a headright, which was issued after the closing of the Land Office in 1835, which has been declared void, and his heirs claim this certificate in lieu of the former.

Mr. Duggan, from the committee on Claims and Accounts, made the following report :

Your committee on Claims and Accounts, to which was referred the petition of Samuel Everett, asking for relief, have examined the same, and find that the said Everett was on the third of November, 1859, wounded in an Indian fight, receiving a severe wound in the face, disfiguring him very much, and another in the arm, disabling him. Said Everett, was serving in the company commanded by T. J. Hales.

A majority of your committee instruct me to report the accompanying bill, and recommend its passage.

A bill for the relief of Saml. Everett. Read first time.

Mr. Potter, chairman of the Judiciary committee, made the following report :

The Judiciary committee, have considered a joint resolution proposing an amendment to the seventh article of the constitution. Under the provisions of the constitution, no amendment of the constitution can be proposed by the Legislature, except, at a regular biennial session. (See Cons. Art. 7., Sec. 37.)

The committee would be glad to see the proposed amend-

ment engrafted upon the constitution, but, in view of the fact that this is not a regular session of the Legislature, I am directed by the committee, to return the joint resolution to the Senate, and ask to be discharged from its further consideration.

Mr. Stockdale, from the committee on Internal Improvements, to whom was referred a bill, to extend the time for completing the improvement of the Brazos River, reported the same to the Senate, and recommended its passage.

Mr. Stockdale, chairman of the committee on Internal Improvements, to whom was referred a bill supplementary to and amendatory of an act to amend the fourth section of an act to provide for the investment of the special school fund in the bonds of railroad companies, incorporated by the State, passed August 13, 1856, approved February 22, 1858, reported the same to the Senate and recommended its passage.

Mr. Hyde introduced a bill providing for a change of venue in the case of the State of Texas vs. Albert G. Walker, now pending in the district court of Tarrant county. Read first time.

On motion of Mr. Hyde, rule suspended, bill read second time and ordered to be engrossed.

Rule further suspended, bill read time and passed.

Mr. Potter introduced a bill providing for the printing of certain matters, with the general laws of the extraordinary session of the eighth Legislature. Read first time.

Rule suspended, read second time and ordered to be engrossed.

Rule further suspended, bill read third time and passed.

Mr. Hyde introduced a bill, making provisions for the translation and printing of certain general laws and ordinances in the Spanish and German languages. Read first and second times and referred to the committee on Printing.

Mr. Dolaney introduced a joint resolution, requesting the Representatives of the State of Texas in the Confederate Congress, to use their influence to obtain the passage of an act of Congress, establishing a mail stage route, from the city of Shreveport, Louisiana, to the town of Nacogdoches, Texas, running on the present route by way of Greenwood, La., Carthage, Panola county, and thence direct to Nacogdoches, &c. Read first time.

Rule suspended, read second time:

Mr. Martin moved to amend by adding:

"Also, the route from Waco to Tyler by the way of Comstock, Navarro county." Adopted.

Mr. Loti moved to amend by adding:

"From Tyler, via Starrville, Smith county, to Marshall in Harrison county." Lost.

Mr. Harmon moved to amend by adding :

"And all other established mail routes in the State. Adopted.

On motion of Mr. Martin, bill and amendments were laid on the table.

A bill to provide for the redemption of Treasury warrants, issued to William Fitzhugh. Read second time.

Mr. Herbert offered a substitute which was adopted and ordered to be engrossed.

Rule suspended, bill read third time and passed.

Mr. Gentry introduced a joint resolution concerning rights of transit through Mexico. Read first time.

Rule suspended, read second time and ordered to be engrossed.

Rule further suspended, read third time and passed.

A message was received from the House, reporting the passage of a bill to attach the county of Edwards to the county of Uvalde, for judicial and other purposes, until organized, and

A bill to authorize the county courts of the several counties to transfer portions of the jury fund to the general county fund originating in the Senate, and

A bill to change the boundary line, between the counties of Goliad and Victoria, originating in the House.

On motion of Mr. Stockdale, the bill was taken up. Read first time.

Rule suspended, read second time and passed to a third reading.

Rule further suspended, read third time and passed.

A message was received from the Governor.

Which was on motion of Mr. Potter, transmitted to the House of Representatives.

Mr. Erath, chairman of the select committee of nine to apportion the State for representation in the Congress of the Confederate States of America, reported a bill embracing the object : to apportion the State of Texas and to regulate the election of members of Congress. Read first time.

Rule suspended, and made the special order for 3 o'clock, P. M., this day.

A bill for the relief of Chas. Ganahl. Read first and second times, and referred to committee on Finance.

A bill supplemental to an act to provide for the investment of the special school fund in the bonds of railroad companies, incorporated by the State, passed August 13th, 1856. Read first time.

A bill making an appropriation for the mileage and per diem pay of the members, and the per diem pay of the officers of the adjourned session of the eighth Legislature. Read first and second times and referred to the committee on Finance.

A joint resolution, authorizing the payment of the salary of the late Capt. T. P. Plaster, deceased, as door-keeper of the House of Representatives, to D. C. Dickson. Read first time.

Rule suspended read second time and passed to a third reading.

Rule further suspended, read third time and passed.

A bill to amend an act amendatory of the laws to raise a revenue by taxation. Read first and second times and referred to the Finance committee.

A joint resolution providing for the turning over of the property now in the possession of the State, lately taken from the U. S. government, to the Confederate States. Read first and second times and referred to committee on State Affairs.

A bill prescribing the manner of authenticating instruments of record. Read first and second times and referred to Judiciary committee.

A bill to amend the 4, 7, 8, 15, 18 and 34 sections of an act to provide for the assessment and collection of taxes. Read first and second times and referred to committee on Finance.

A bill to authorize the county courts of Nacogdoches and others to regulate the pay of Sheriffs therein, in certain cases. Read first and second times and referred to the committee on Finance.

A bill supplemental and amendatory of the act creating the county of Kaufman, approved Feb., 26, 1848. Read first and second times and referred to the committee on County Boundaries.

The bill providing for the encouragement of manufactories in Texas, being in order,

Mr. Blanch withdrew his amendment which was pending when the Senate last adjourned.

Mr. Miller renewed the amendment.

Mr. Martin moved the following as an amendment to the amendment :

"And strike out eight sections and insert five," which was accepted.

The yeas and nays being called on the adoption, the question was lost by the following vote :

YEAS—Messrs. Martin, Miller, Neal and Pitts—4.

NAYS—Messrs. Blanch, Chambers, Duggan, Dulaney, Erath,

Fall, Gentry, Grimes, Guinn, Harmon, Herbert, Hyde, Lott, Parsons, Potter, Rains, Schleicher, Shepard, Stockdale, Throckmorton, Walker and Whaley—22.

Mr. Parsons moved to strike out eight sections and insert four.

Upon which the yeas and nays stood thus :

YEAS—Messrs. Blanch, Chambers, Duggan, Erath, Grimes, Guinn, Herbert, Hyde, Martin, Miller, Neal, Parsons, Pitts, Stockdale and Throckmorton—15.

NAYS—Messrs. Dulaney, Fall, Gentry, Harmon, Lott, Potter, Rains, Schleicher, Shepard, Walker and Whaley—11.

Mr. Throckmorton moved to amend as follows :

“Strike out four sections and insert six.”

Upon which the yeas and nays stood thus :

YEAS—Messrs. Dulaney, Erath, Fall, Gentry, Harmon, Hyde, Lott, Neal, Pitts, Potter, Rains, Schleicher, Shepard, Throckmorton, Walker and Whaley—16.

NAYS—Messrs. Blanch, Chambers, Duggan, Grimes, Guinn, Herbert, Martin, Miller, Parsons and Stockdale—10.

Mr. Herbert moved to amend by striking out : “\$10,000,” and inserting “\$20,000.” Lost.

The question on the passage of the bill to a third reading was then taken and carried by the following vote :

YEAS—Messrs. Dulaney, Erath, Fall, Gentry, Harmon, Hyde, Lott, Neal, Potter, Rains, Schleicher, Shepard, Throckmorton Walker and Whaley—15.

NAYS—Messrs. Blanch, Chambers, Duggan, Grimes, Guinn, Herbert, Martin, Miller, Parsons and Stockdale—10.

A bill providing means for the payment of certain debts created by authority of the late Convention of the people of the State of Texas. Read third time and passed.

The committee on State Affairs to whom was referred a joint resolution providing for the turning over of the property now in the possession of the State and lately taken from the United States government, to the Confederate States government, reported the following amendment and recommended its passage :

Amend fifth line of first section by striking out : “H. P. Brewster,” and after the word “agent,” in the same line, insert the words “or agents.”

Mr. Hyde introduced a bill to incorporate the Texas and Arizona Mining and Transportation Company. Read first and second times and referred to the committee on the Judiciary.

A bill authorizing a loan, and imposing a specific tax to meet the principal and interest thereof, and specifying how the money

arising from the loan shall be applied; on the report of the select committee, recommending amendments being the special order, was called:

Amendments severally adopted.

Mr. Potter offered the following amendment:

Amend 10th section, original bill, by striking out the word, "bill," at the end of the section, and insert in lieu thereof, "act."

At the end of the same section, add the following:

"The agent appointed by the Governor for the purpose herein contemplated, may be allowed such reasonable compensation for his services, as shall be agreed upon and established by the Governor, Comptroller and Treasurer, or a majority of them." Adopted and bill passed to third reading.

Rule suspended, read third time and passed by the following vote:

YEs—Messrs. Blanch, Chambers, Duggan, Erath, Fall, Gentry, Grimes, Guinn, Hannon, Herbert, Lyde, Martin, Miller, Parsons, Pitts, Potter, Scarborough, Schleicher, Shepard, Stockdale, Throckmorton and Whaley—22.

NAYs—Mr. Rains—2.

On motion the Senate adjourned until 3 o'clock, P. M.

3 O'CLOCK, P. M.

Senate met—quorum present.

Mr. Walker, chairman of the committee on Public Lands, to whom was referred a bill to amend an act to authorize the Commissioner of the General Land Office, to issue patents upon surveys heretofore made, not in a form required by law, approved 17th January, 1860, reported the bill to the Senate and recommended its passage.

Mr. Stockdale, chairman of the committee on Enrolled Bills, reported:

A bill to define the line of Bell and Milam counties.

A bill to provide for the running the county lines between the counties of Marion, Cass and Titus.

A bill to attach the county of Wichita to the county of Clay, so as to form one land district.

A bill to authorize the county courts of the several counties, to transfer portions of the jury fund to the general county fund.

A bill to attach the county of Edwards to the county of Uvalde, for judicial purposes until organized, correctly enrolled, properly signed, and this day presented to the Governor.

A bill to apportion the representation for the State of Texas, in the Congress of the Confederate States of America, being the special order for this hour,

Mr. Stockdale offered the following amendment :

"*Provided*, That should the Congress of the Confederate States fix any other day for said election than that herein designated, then said election shall be held on the day so fixed." Adopted.

Mr. Blanch offered a substitute for the bill, which was lost by the following vote :

YEAS—Messrs. Blanch, Chambers, Neil, Parsons, Potter, and Stockdale—6.

NAYS—Messrs. Duggan, Dulaney, Erath, Fall, Gentry, Grimes, Guinn, Harmon, Herbert, Hyde, Martin, Miller, Pitts, Rains, Schleicher, Shepard, Throckmorton and Walker—18.

Mr. Blanch moved to amend as follows :

Substitute for the fifth district as follows : "The counties of Cooke, Denton, Montague, Clay, Young, Collin, Grayson, Dallas, Kaufman, Henderson, Smith, Van Zandt, Busk, Parker and Tarrant ; and for the sixth district, the counties of Fannin, Hunt, Lamar, Hopkins, Red River, Titus, Bowie, Marion, Cass, Harrison, Upshur and Wood." Lost.

Mr. Parsons moved to make the bill the special order for tomorrow, 10 o'clock, A. M. Lost.

Mr. Parsons offered the following amendment :

"Take Rusk county from the fifth and add it to the fourth district," Lost.

The question was then taken on the engrossment of the bill and carried.

Mr. Throckmorton moved to suspend the rule, whereupon Mr. Blanch moved a call of the Senate which was sustained.

The Senate being full, the motion to suspend the rule was put and lost.

A bill to provide for the sale of the reservation of land ceded to the United States for Indian purposes, by an act of the Legislature, approved Feb., 6, 1854.

Mr. Herbert moved to amend by adding : "to the highest bidder for cash."

Mr. Dulaney offered to amend, so as to make the purchase money payable in three installments, of six, twelve and eighteen months, with interest from date of sale. The sales to be made at public auction to the highest bidder.

Strike out : "one dollar and fifty cents," in third section, and insert, "two dollars and fifty cents." Lost.

Mr. Herbert's amendment, was then put and lost.

Mr. Herbert then moved to amend by striking out, "6 per cent.," and inserting, "ten per cent." Carried.

Mr. Walker offered the following:

"*Provided*, That any one settled on said land, may take the same under the pre-emption law now in force, at one dollar and twenty-five cents per acre."

Mr. Potter moved to lay on the table. Carried.

Mr. Potter moved to amend as follows:

In section four, line second, after the word, "bidder," "for one-third cash, the remained." Adopted.

Mr. Herbert moved to strike out, "one dollar and fifty cents," and insert, "two dollars."

Mr. Harmon moved to lay the amendment on the table, upon which the yeas and nays were:

YEAS.—Messrs. Chambers, Erath, Gentry, Harmon, Hyde, Lott, Martin, Neal, Parsons, Pitts, Potter, Rains, Scarborough, Schleicher, Throckmorton and Walker—16.

NAYS.—Messrs. Blanch, Duggan, Dulaney, Grimes, Guinn, Herbert, Miller, Shepard and Whaley—9.

A bill to establish certain regulations for the management of the Lunatic, Deaf and Dumb and Blind Asylums. Read second time and ordered to be engrossed.

Rule suspended, read third time and passed by the following vote:

YEAS.—Messrs. Blanch, Chambers, Dulaney, Erath, Gentry, Grimes, Guinn, Harmon, Herbert, Hyde, Lott, Martin, Miller, Neal, Parsons, Pitts, Potter, Rains, Scarborough, Shepard, Throckmorton and Walker—22.

NAYS.—Messrs. Duggan and Whaley—2.

A bill to regulate the salaries of certain State officers and clerks therein named, and to reduce the number of the clerkships in the Comptroller's office, and to arrange the same, and to abolish the allowance for contingent fund. Read second time, and ordered to be engrossed.

Rule suspended, read third time.

Mr. Potter moved to strike out all that relates to the Attorney General, upon which the yeas and nays were called and stood thus:

YEAS.—Messrs. Chambers, Duggan, Dulaney, Erath, Gentry, Herbert, Miller, Neal, Parsons, Pitts, Potter, Scarborough, Schleicher, Shepard and Whaley—15.

NAYS.—Messrs. Grimes, Guinn, Harmon, Hyde, Rains, Throckmorton and Walker—7.

Carried by two-third vote. The bill was then passed.
On motion the Senate adjourned until half past nine o'clock,
A. M., to-morrow.

FRIDAY, April 5, 1861.

Senate met pursuant to adjournment. Prayer by the Chaplain—roll called—quorum present.

The journal of yesterday read and adopted.

Mr. Miller, Chairman of the Finance committee, to whom was referred a bill for the relief of Charles Ganahl, reported the same to the Senate and recommended its passage.

A bill to amend an act to amend the fourth, seventh, eighth, fifteenth, eighteenth and thirty-fourth sections of an act to provide for the assessment and collection of taxes, approved Feb. 11, 1850; approved Feb. 11, 1860, reported the same back to the Senate and recommend its passage without amendment.

A bill to authorize the County Courts of Nacogdoches, Navarro, Jackson, *et als* counties, to regulate the pay of Sheriff's therein in certain cases, reported the same back to the Senate and recommend that it be referred to the committee on Roads, Bridges and Ferries, as the more appropriate committee to consider the subject matter thereof, and asked to be excused from the further consideration thereof.

A bill to amend an act amendatory of the laws to raise revenue by taxation, approved Feb. 16, 1858, reported the same to the Senate and recommend its passage with the following amendment, to-wit: amend first section by striking out the word "or" where it first occurs in the eleventh line and insert instead thereof the words "and on the amount of capital."

Mr. Herbert, Chairman of the committee on Roads, Bridges and Ferries, to whom was referred a bill to amend an act to regulate ferries, passed Jan., 23, 1850, reported the same to the Senate and recommended its passage.

Mr. Duggan, Chairman of the committee on County and County Boundaries, to whom was referred a bill supplemental to and amendatory of the act creating the County of Kaufman, approved Feb., 26, 1848, reported the same to the Senate and recommended its passage.

Mr. Fall, Chairman of the committee on Engrossed Bills, reported a bill to apportion the State of Texas and to regulate the election of members of Congress, correctly engrossed.

Mr. Potter, Chairman of the Judiciary committee, to whom